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EXAMINER

CHANG, JUNGWON

ART UNIT	PAPER NUMBER
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2154

DATE MAILED: 09/09/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/080,086

Applicant(s)

LEI ET AL.

Examiner

Jungwon Chang

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 15 August 2005.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-89 and 115-127 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-89 and 115-127 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____

DETAILED ACTION

1. This action is responsive to applicant's election of Group I, claims 1-89 and 115-127 without traverse.
2. Claims 1-89 and 115-127 are presented for examination.

Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 1-89 and 115-127 are rejected under 35 U.S.C. 103(a) as being unpatentable over Lee (US 6,658,248), in view of Ortiz (US 2002/0077974).
5. As to claims 1, 12 and 51, Lee discloses a invention as claimed, including a wireless network system (210, fig. 1) comprising:
 - a server system (580, fig. 5) connected to a network (510-570; fig. 5);
 - an electronic device (200, fig. 2) having a wireless transceiver (radio

communications device, fig. 2) adapted to communicate via radio frequency (RF) transmission (col. 2, line 61 – col. 3, line 6; col. 3, lines 21-37); and

a portable wireless device (220, fig. 1) having a wireless connection to the network (210, fig. 2), wherein the portable wireless device is adapted to communicate wirelessly with the electronic device (fig. 2; col. 3, lines 7-20), and the electronic device communicates with the server system over the network through the portable wireless device (figs. 5-7; user uses the cellular phone 500, the user can access a telephone service system 580...the price information is transmitted to the self-service machine; col. 4, line 30 – col. 5, line 27).

6. Lee discloses a radio transceiver (110, fig. 1; col. 3, lines 21-37). However, Lee does not specifically disclose the light transmission. Ortiz discloses the light transmission (page 2, 0025). It would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the teachings of Lee and Ortiz because Ortiz's light transmission would allow the device to fast transmission of data.

7. As to claim 2, Lee discloses wherein communication between the electronic device and the server system is secured from the portable wireless device (col. 4, lines 5-10, 24-29 and 52-61).

8. As to claim 3, Lee discloses a wireless connection. However, Lee does not specifically disclose wherein the wireless connection is selected from the group consisting of a Transmission Control Protocol/Internet Protocol connection, a satellite

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connection, a Global system form Mobile communication connection, a code-division multiple access connection, a time-division multiple access connection, a cellular digital packet data connection, a general packet radio service connection and a wideband code division multiple access connection. Ortiz discloses wherein the wireless connection is selected from the group consisting of a Transmission Control Protocol/Internet Protocol connection (page 6, 0073), a satellite connection (page 7, 0082), a Global system form Mobile communication connection (144, fig. 8), a code-division multiple access connection (148, fig. 8), a time-division multiple access connection (152, fig. 8), a cellular digital packet data connection (143, fig. 8), a general packet radio service connection (146, fig. 8) and a wideband code division multiple access connection (page 7, 0081). It would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the teachings of Lee and Ortiz because Ortiz's a plurality of wireless connections would improve the wireless communication by allowing the device to establish a variety of communication path which supporting a long range and short range communication.

9. As to claims 4 and 5, Lee discloses wherein the electronic device communicates with the server system over the network through the portable wireless device by transmitting data destined for the server system wirelessly to the portable wireless device, and the portable wireless device transmits the data destined for the server system over the network via the wireless connection to the server system (col. 4, line 30 – col. 5, line 27).

10. As to claim 6, Lee discloses the electronic device lacks a permanent connection to the network (mobile switching center inherently sets up a temporary connection; col. 3, lines 7-20).

11. As to claims 7 and 8, Lee discloses wherein the electronic device only communicates with the server system indirectly through the portable wireless device (figs. 5-7; user uses the cellular phone 500, the user can access a telephone service system 580...the price information is transmitted to the self-service machine; col. 4, line 30 – col. 5, line 27).

12. As to claim 9, Lee discloses wherein the portable wireless device includes a second wireless transceiver to communicate wirelessly with the wireless transceiver of the electronic device (second cellular phone base station 450 inherently includes a second transceiver; 450, fig. 4; 550, fig. 5).

13. As to claim 10, Lee discloses wide area network (210, fig. 2).

14. As to claim 11, Lee does not specifically disclose communication is packet-based. However, Ortiz disclose communication is packet-based (page 6, 0079; page 7, 0086). It would have been obvious to one of ordinary skill in the art at the time the

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invention was made to combine the teachings of Lee and Ortiz because Ortiz's packet based communication would enhance the security of communication.

15. As to claim 13, it is rejected for the same reason set forth in claim 3 above.

16. As to claim 14, it is rejected for the same reason set forth in claim 2 above.

17. As to claims 15-17, it is rejected for the same reason set forth in claims 4 and 5 above.

18. As to claim 18, it is rejected for the same reason set forth in claim 6 above.

19. As to claim 19, it is rejected for the same reason set forth in claims 7 and 8 above.

20. As to claim 20, it is rejected for the same reason set forth in claim 10 above.

21. As to claim 21, it is rejected for the same reason set forth in claim 11 above.

22. As to claim 22, it is rejected for the same reason set forth in claims 1, 12 and 51 above. In addition, Lee discloses a second wireless transceiver having a wireless

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connection to a network (second cellular phone base station 450 inherently includes a second transceiver; 450, fig. 4; 550, fig. 5).

23. As to claim 23, Lee does not specifically disclose an InfraRed communication, Bluetooth protocol, and IEEE 802.11 protocol. However, Ortiz discloses an InfraRed communication (page 2, 0025), Bluetooth protocol (page 6, 0075), and IEEE 802.11 protocol (Ethernet; page 3, 0040). It would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the teachings of Lee and Ortiz because Ortiz's a plurality of wireless connection protocols would improve the wireless communication by allowing the device to establish a variety of communication path which supporting a long range and short range communication.

24. As to claim 24, it is rejected for the same reason set forth in claim 3 above.

25. As to claim 25, it is rejected for the same reason set forth in claim 22 above.

26. As to claims 26-28, it is rejected for the same reason set forth in claims 4 and 5 above.

27. As to claim 29, it is rejected for the same reason set forth in claim 6 above.

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28. As to claim 30, it is rejected for the same reason set forth in claims 7 and 8 above.

29. As to claim 31, it is rejected for the same reason set forth in claim 10 above.

30. As to claim 32, Lee discloses the portable wireless device is a mobile telephone (220, fig. 1).

31. As to claims 33-35, Lee discloses the portable wireless device (220, fig. 1). However, Lee does not specifically disclose personal digital assistant. Ortiz discloses personal digital assistant (page 4, 0048). It would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the teachings of Lee and Ortiz because Ortiz's PDA would increase the capability by allowing the PDA to configure both wireless and wireline communication, and optical scanning/capturing capabilities (Ortiz, page 4, 0049).

32. As to claim 36, it is rejected for the same reason set forth in claim 11 above.

33. As to claims 37 and 63, they are rejected for the same reasons set forth in claims 1, 12 and 51 above. In addition, Lee discloses receiving data destined for the server system wirelessly from the electronic device (col. 6, lines 42-45); transmitting the data destined for the server system over the network via the wireless connection to the

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server system (col. 6, lines 39-41); receiving data destined for the electronic device from the server system over the network via the wireless connection (col. 4, lines 38-40); and transmitting the data destined for the electronic device wirelessly to the electronic device (col. 4, lines 41-48).

34. As to claim 38, it is rejected for the same reason set forth in claim 2 above.

35. As to claim 39, it is rejected for the same reason set forth in claim 3 above.

36. As to claims 40 and 41, they are rejected for the same reason set forth in claims 7 and 8 above.

37. As to claim 42, it is rejected for the same reason set forth in claim 10 above.

38. As to claim 43, it is rejected for the same reason set forth in claim 11 above.

39. As to claims 44 and 70, Lee does not specifically disclose program code storage device; machine-readable storage medium and machine-readable program code, stored on the machine readable storage medium having instructions. However, Ortiz discloses program code storage device; machine-readable storage medium and machine-readable program code, stored on the machine readable storage medium having

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instructions (page 3, 0044; page 4, 0047, instructions contained in a memory location within module 50, 0052, 0053; page 5, 0064, 0067).

40. As to claim 45, it is rejected for the same reason set forth in claim 2 above.

41. As to claim 46, it is rejected for the same reason set forth in claim 3 above.

42. As to claims 47 and 48, they are rejected for the same reason set forth in claims 7 and 8 above.

43. As to claim 49, it is rejected for the same reason set forth in claim 10 above.

44. As to claim 50, it is rejected for the same reason set forth in claim 11 above.

45. As to claim 52, it is rejected for the same reason set forth in claim 23 above.

46. As to claim 53, it is rejected for the same reason set forth in claim 3 above.

47. As to claim 54, it is rejected for the same reason set forth in claim 2 above.

48. As to claims 55 and 56, they are rejected for the same reason set forth in claims 4 and 5 above.

49. As to claim 57, it is rejected for the same reason set forth in claim 6 above.
50. As to claims 58 and 59, they are rejected for the same reason set forth in claims 7 and 8 above.
51. As to claim 60, it is rejected for the same reason set forth in claim 10 above.
52. As to claim 61, Lee discloses an electronic device is embedded into a vending machine (200, fig. 1; col. 1, lines 8-24).
53. As to claim 62, it is rejected for the same reason set forth in claim 11 above.
54. As to claim 64, it is rejected for the same reason set forth in claim 2 above.
55. As to claim 65, it is rejected for the same reason set forth in claim 3 above.
56. As to claims 66 and 67, they are rejected for the same reason set forth in claims 7 and 8 above.
57. As to claim 68, it is rejected for the same reason set forth in claim 10 above.

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58. As to claim 69, it is rejected for the same reason set forth in claim 11 above.

59. As to claim 71, it is rejected for the same reason set forth in claim 2 above.

60. As to claim 72, it is rejected for the same reason set forth in claim 3 above.

61. As to claims 73 and 74, they are rejected for the same reason set forth in claims 7 and 8 above.

62. As to claim 75, it is rejected for the same reason set forth in claim 10 above.

63. As to claim 76, it is rejected for the same reason set forth in claim 11 above.

64. As to claim 77, it is rejected for the same reasons set forth in claims 1, 12 and 51 above. In addition, Lee discloses a vending machine (200, fig. 1; col. 1, lines 8-24); a dispenser to dispense an item when an approval is received from the server system over the network through the portable wireless device (col. 4, line 57 – col. 5, line 9).

65. As to claim 78, it is rejected for the same reason set forth in claim 23 above.

66. As to claim 79, it is rejected for the same reason set forth in claim 3 above.

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67. As to claim 80, Lee discloses the approval is transmitted from the server system to the vending machine after successful payment verification (col. 4, lines 57-64).

68. As to claim 81, it is rejected for the same reason set forth in claim 2 above.

69. As to claims 82, 83 and 87, they are rejected for the same reason set forth in claims 4 and 5 above.

70. As to claim 84, it is rejected for the same reason set forth in claim 6 above.

71. As to claims 85 and 86, they are rejected for the same reason set forth in claims 7 and 8 above.

72. As to claim 88, it is rejected for the same reason set forth in claim 10 above.

73. As to claim 89, it is rejected for the same reason set forth in claim 11 above.

74. As to claims 115 and 121, they are rejected for the same reasons set forth in claims 1, above. In addition, Lee discloses collecting data to be transmitted connected to a network (col. 1, lines 61-64; col. 2, lines 1-5).

75. As to claim 116, it is rejected for the same reason set forth in claim 2 above.

76. As to claim 117, it is rejected for the same reason set forth in claim 3 above.

77. As to claim 118, it is rejected for the same reason set forth in claim 6 above.

78. As to claim 119, it is rejected for the same reason set forth in claim 10 above.

79. As to claim 120, it is rejected for the same reason set forth in claim 11 above.

80. As to claims 122 and 123, they are rejected for the same reason set forth in claims 4 and 5 above.

81. As to claim 124, it is rejected for the same reason set forth in claim 2 above.

82. As to claim 125, it is rejected for the same reason set forth in claim 3 above.

83. As to claim 126, it is rejected for the same reason set forth in claim 23 above.

84. As to claim 127, it is rejected for the same reasons set forth in claims 1, 12 and 51 above. Lee does not specifically disclose personal area network. However, Ortiz discloses a personal area network (142, fig. 8). It would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the teachings of

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Lee and Ortiz because Ortiz's personal area network would improve the wireless communication by allowing the device to establish a communication path which supporting short range wireless link.

85. As to claim 128, it is rejected for the same reasons set forth in claim 127 above.

86. As to claim 129, it is rejected for the same reason set forth in claim 10 above.

87. As to claim 130, it is rejected for the same reason set forth in claim 2 above.

88. As to claim 131, it is rejected for the same reason set forth in claim 3 above.

89. As to claim 132, it is rejected for the same reason set forth in claim 23 above.

Conclusion

90. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure:


McGarry et al, patent 6,038,491, Mittal, 2003/0045277, Fano et al, 2003/0119446, Offer, 2001/0034566, disclose a method and system for communicating a vending machine using one of multiple cellular carriers.

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91. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Jungwon Chang whose telephone number is 571-272-3960. The examiner can normally be reached on 9:30-6:00 (Monday-Friday).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John A Follansbee can be reached on 571-272-3964. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).


Jungwon Chang
September 2, 2005